POLITICAL.

Louisiana Exercised About Statu Quo.

AUGUR AND PACKARD.

A Note of Explanation from the Federal General.

BALLOTING FOR UNITED STATES SENATORS.

LOUISIANA.

SENERAL AUGUR'S REPLY TO PACKARD-HE CORRECTS SOME MISAPPREHENSIONS-A DIF-FERENCE OF OPINION ABOUT "STATU QUO." NEW ORLEANS, Jan. 17, 1877.

The following is General August's reply to Governor

Packard's letter of last night:

Headquarters Department of the Gulf, New Orleans, Jan. 17, 1877.

Hon. S. B. Packard, State House:

Dear Sir.—Your letter, duted the 16th inst., which you had published in the newspapers and telegraphed North before it was possible for me to see it, is received. Though addressed to me, I understand very well that it is not particularly intended for me, and but for some errors affecting me personally, I should not think it necessary to make any reply. You state that "orders had been besued early on this day (the 9th inst.) by the Hon. Secretary of War, directing that unauthorized armed bodies should be required to desist, Ac. I (you) consider this order of the Secretary of War as virtually commanding a maintenance of statu quo; consequently the State forces in charge of the different positions outside of the Capitol were directed to make such resistance as would compel a manifestation of force and a breach of the peace on the part of their opponents. It was my understanding that neither side should be permitted to interiere with the status of the other side. In reply to this I would state that the time of day at which this order was issued is immaterial. It was not received here until some time after the surrender, without resistance, of the Supreme Court room, Arsenal and all of the police stations, and it is quite a new thing to me to hear that you ever considered that order as commanding a maintenance of the statu quo. Yourself, and the officers in command immediately under you, have repeatedly stated that it was your intention to sense any lavorable opportunity to recover the court room, and you have repeatedly sent your Sheriff to and the officers in command immediately under you, have repeatedly stated that it was your intention to seize any favorable opportunity to recover the court room, and you have repeatedly sent your Sheriff to demand that room, and have twice since that time made written application to me for troops to assist in such recovery. This does not look as though it was your understanding that neither side should be permitted to interfere with the status of the other side. It was the fact that these threats to recover lost ground, whenever a favorable opportunity presented itself, that has lurnished an excuse for the Nicholis party to keen a lorce in readiness to resist any attempt to recover, and it was in view of this very condition of affairs that yesterday morning I directed two of my staff, one to see you and one to see General Nicholis, to inquire, not request, if some agreement or understanding could not be entered into by which statu quo could be guaranteed until such time as the President should make his decision. Such agreement would do away with the supposed necessity of keeping up a body of armed men on either side and diminish very greatly the chances of violence and bloodshed. I made no request in the matter; I had no right to make any request. It was simply a suggestion in the interest, as I thought, of peace, and to give a moment's quiet to the citizens of this excited city. Noither General Nicholis nor yourself thought it advisable to adopt it, and there it ended, Ai error was also made in the form of the memorandum left you by Major Russeil last night, and, though of no particular moment, still I prefer to be reported correctly. In directing the staff officer last night to deliver to you and General Nicholis each a copy of the despatch of the 16th from the Secretary of War he was told:—"Say to each that I hope they will give assurances that the President's wishes shall be respected." I made no request for such assurances.

Very respectfulty, your obedient servant.

C. C. Augur, Brigatier General, Comman

PROCEEDINGS IN THE LEGISLATURE.

States Senator to-day. In the House Barrett and Kennedy, who had gone over to the demograts, were ex-

The democratic Legislature balloted for Senator introduced a resolution setting forth that one Packard. introduced a resolution setting forth that one Packard, falsely assuming to be Governor, has by means of acandalous and libelious publication, purporting to be a proclamation addressed to the General Assembly and lawful authorities and calculated to bring them into contempt, &a.; therefore, be it resolved that the Committee on the Judiciary be instructed to inquire whicher said Packard by authorizing said scandalous and libelious publication has not committed a breach of the privileges of this body, and what means, if any, should be taken to punish said l'ackard for said contempt and to maintain the dignity and authority of this body. So ordered.

THE LOUISIANA RETURNING BOARD. DEBATE IN THE HOUSE ON THE QUESTION OF

ADVOCATES OF STATE RIGHTS-THE ARREST OF THE MEMBERS OF THE BOARD ORDERED.

WASHINGTON, Jan. 17, 1877. In the House to-day, the regular order being demanded, the House proceeded to the consideration of the resolution reported by the Judiciary Committee yesterday with reference to the arrest of the Louisiana

SPEECH OF MR. O'RELEY Mr. O'BRIEN, (dem.) of Md., said that the report and resolution before the House received his entire approval. The house, in conducting the investigation by its committees, had the power to compel the production of the original papers showing the returns and results of the election for electors. This was no de-Louislane. He was a defender of State rights within the limitations of the constitution, and the State had provisions of the constitution were fully complied with, and the certificate of the electors was inding on Congress, and must be respected. This was the prima facie case; but it could be inquired into and set aside by Congress if the limitation of the constitu tion and the powers of the law had not been strictly complied with. If the electors were ineligible, had not cast their vote on the day required, or were elected by traud, there was no appointment under the terms of the constitution. It was a principle of law that fraud vitiated everything, and the House, under its power to elect a President in a certain contingency, was bound to ascertain whether there had been an election for to inquire into the validity of the votes certified by the electors and the right and eligibility of the electors themselves. In this view the House, under its power to inquire, had a right to inspect the original records of the elections, when, as in the case of Louisiana. there was a universal sentiment that fraud and corruption had been practised by the Returning Search and demanded an investigation. He quoted authorities to show that the records of the State Board could be corrected by the District Board and these by the ballots themselves. The object of the investigation was to determino the legality of the acts of the Returning Board and to verify the returns made. Congress had this power, and in this crisis, when the existence of the government itself might depend upon the true results

this power, and in this crisis, when the existence of the government itself might depend upon the true results of the Louistana election, it must resolutely exercise it to the fullest extept.

ARGUNENT OF MIC HOAR.

Mr. HOAR, (rep) of Mass., addressed himself to the simple question of the constitutional power of the House to require a State to give up its straines. He was struck with amazement that it should ever have fallen to his lot to defend the rights of an American State against a democratic House of Representatives. He laid down this proposition, that whatever power the House had to compet the authorities of a State to deliver up the records of that State and bring them to the House had to compet the authorities of a State to the House had to compet the surface of the swift, that same authority the Legislature of a State had over United states officials within its jurisdiction.

Mr. Blank, (dem.) of Mo., asked if a committee of the House had not power to examine ballots in cases at contested elections for members of Congress.

Mr. Hoan replied that the records which were now lought for were the records of local elections and records which related to the existence of the government of the State. Nobely doubted that there was a zertain class of records to which the principle he had laid down did not apply. But the election of Presidential electors were records essential to the preservation of the government and sovereignty of the State insel, and Congress had no right to lay leads on them must bring them out of the territory of the State.

Mr. Herrstonn, (dem.) of W. Va., stated that the House had nover ordered the papers to be taken out of the State. The Returning Board had relissed even to alway an importion of them. The right of the people to import public papers never had been doubted until to-day. Why was it that at every stage of this investigation the alemocratic party met with obstacles and objections from the republicans? It was because for years past Governors could be actined and one of the stat

Mr. KELLEY, (rep.) of Pa., argued that the question was a legal and constitutional one; that Congress was not omnipotent, and that unless Congress could over those the sovereignty of every Siste it could not invade the finding of the Louisiana Returning Board.

committee.

SPASMODICAL PIRTY.

Mr. Harris, (dem) of Va.: sustained the power of the House as claimed, and said that when he heard the gentieman from Ohio (Mr. Garfield) quoting yesterday from Mr. Pinekney, of South Carolina, in support of his new States rights doctrine he was reminded of Satan quoting Scripture, and also of that couplet that

When the devil was sick,
The devil a monk would be;
But when the devil gut well,
The devil a monk was he.
Mr. Kasson, (rep.) of lows, said he had listened in

Mr. Kasson, (rep.) of lowa, said he had listened in vain to the debate to flud whether any limitation was to be laid down touching the power of the House over testimony to be given or papers to be produced by any State officers or State tribunals. No such limitation had been stated by any one. He regarded the proposition as a usurpation of power, dangerous to the future peace and welfare of the Republic.

Mr. Rikagan, (dem.) of Texas, said that he had heard no such complaints as were now heard from the republicas of the House when the official papers from Louisiana were brought before a Senate committee, or when the question of the Oregon electors was inquired into by another senate committee.

Mr. Cox, (dem.) of N. Y., closed the debate. No one, he said, could deny that where a forgery was committed, the subpens duces fecum could compet the production of the forged paper, and that was the whole question. It was not proposed to carry away the papers, but simply to inspect them. The offer was made to turnish copies, but the inculpated people on the charge of lorgery proposed to do the copying; that would not hold water. The gentlemen on the other side were in the position of choking down the truth, not that they would just now count one man in or another man out, but to stop inquiry as to the proper man to be counted in. That was the point in the case. They were anticipating the work of the 14th of February. The question was important, not as a question of law, but as the local question on which the possession of the Freguential office depended. Gentlemen on the republican side had been proclaiming a newborn regard for State rights, and yet they were upholding the power, not of the State militia, not of the State Couris, but of the federal beyone — not merely the old federalpower, not of the State onlitta, not of the State Courts, but of the federal bayonet—not merely the old federalism, but lederalism with the swager of the sword knot and the insolence of the military.

Addressing the republican side of the house he con-

ism, but lederalism with the swagger of the sword knot and the insolence of the military.

Addressing the republican side of the house he continued:—

You would put out State rights; we stand for them. You have already—by your Gatting guns, by your military power, by your pronunciamentos, by your selfaire of the munitions of liberty in Louisana, by defying the constitution, by shaking the hand of power (the gloved hand with iron under it) at the State of Down (the gloved hand with iron under it) at the State of Louisana—murdered State rights, and you cannot even be allowed to preach the funeral oration. (Applause on the democratic side.) When gentle, men on the other side talk of State rights let them go to Louisana and see a prostrate State with the power of the federation over it, the very sugar plantations turned into swamps, crawling serpents all over it; no longer the proud old State of Louisana, which deferson bought, which the democracy was proud of, but a State crawling in the dust.

The gentleman from Massachusetts (Mr. Hoar) quoted a lable from Macaulay relating a story told by Ariosto of a tarry who was condemned to appear at certain seasons in the form of a loui and poisonous snake. Those that injured her during the period of her disguise were forever excluded from participation in the blessings which she bestowed; but to those who, in spite of her revolting aspect, protected her she always revealed herselt in the beautiful and celestial form which was natural to per, accompanied their steps, granted all their wishes, filled their houses with wealth, made them happy in love and victorious in war. See alconding to Macaulay is the spirit of liberty. At times she takes the form of a hateful reptile—grovelling, hissing and stinging; but were to have who have dared to receive ner in ner degraded and tright. It for mare at last rewarded by her in the time of her meaning and stringing; but we to mose who is her useful and when at the port of deposit, as it was called, our profice from the North—to the whol

the democratic side.)
The vote was then taken, and the resolution for the arrest of the members of the Louisiana Returning Board, and their production before the bar of the House to answer for contempt, was adopted by a strict party vote of 158 years to 31 mays.

SOUTH - CAROLINA.

AN ALLEGED FRAUD IN THE STATE ELECTION BETUENS-BEMARKABLE EVIDENCE BEFORE THE SUPREME COURT SPECIAL REPEREN-THE UNITED STATES TROOPS NOT NEEDED AT THE STATE HOUSE.

[BY TELEGRAPH TO THE HERALD.]

COLUMBIA, Jan. 17, 1977.
Some startling developments were made to-day be fore United States Commissioner Wilkes, the special referee appointed by the Supreme Court to canvass and aggregate the vote cast at the election on the 7th of November last for the State officials, in the case of R. M. Sims vs. the State Board of Canvassers.

The lavestigation disclosed the fact that the election returns in the possession of the Secretary of State had been tampered with, and upon which the Board of Stite Canvassers had declared the election. This was proved conclusively in two instances, and the presumption now is that the instructions of

Secretary Chandler contained in his alleged The result of a preliminary examination of the agers' returns had shown that the vote for the

fraud and forgery in the office of the Secretary of State.

NO NEED FOR FEDERAL TROOPS.

The special colored constabulary force at the State House was ascertained to constabulary force at the State House was ascertained to constables, sergeants, head constables and commissioned officers, the whole force being under the command of Colonel Lowe, called of the State constabulary. In view of the efficiency of this force, and of the last that there are two armed negro militia companies in this city, the opinion is expressed that the company of United States solders kept in the State House is superfluous and ought to be withdrawn. It is further claimed that the troops are kept there by General Ruger, under a misconstruction of his orders, which did not reguire him to permanently sustain Chamberlain after he had been elected and inaugurated by the Mackey House through the sid and support of the troops.

DISPUTED OREGON.

WILLIAM BEACH LAWRENCE ON THE ACTION OF GOVERNOR GROVER IN GRANTING CRONIN A CERTIFICATE OF ELECTION-LAW AND PREC-

EDENTS CITED -- SUSTAINING THE GOVERNOR. Mr. William Beach Lawrence, of Phode Island, bas written to Senator Kernan, of the Senato Committee on Privileges and Elections, an interesting letter relative to the validity of Watts' election as Presidential elector of the State of Oregon. Below will be found a sypopsis of the document :-

synopsis of the document:—

OCHER POINT, NEWFORT, R. I., Jan. 4, 1877.

DEAR SENATOR KERNAN—Having been at the head of the Rhode Island democratic electoral ticket at the time when it became known that one of the Oregon electors was disquarided I looked into the subject, supposing that the same question might arise here, The canvass showed, however, that, excluding the votes for Mr. Corliss, there had been no election, inasmuch as three of us had the same number of votes, a case for which express provision is made by our State law. I note this, because in the Oregon law there is but one provision as to vacancies which are to be filled by the Electoral College, which can scarcely apply to cases of infure to elect. I merely allude to the fact that the electoral collegs are in no sense continuous bodies, but they are created de noro for each Presidential election.

The powers of the canvassers in the two States are

Supreme Court of Rhode Island, under which the Governor and General Assembly acted on the recent occasion.

For the reasons already mentioned—the equality of the votes between the three highest democratic candidates—the discussion whether the disqualification resulted in the election of the candidate next in vote or in a initure to elect any one was wholly irrelevant, as confessedly under the circumstances there was no minority candidate chosen. The opinion was not published till laid before the Legislature, and I was aurprised to find this ratter matter passed upon by the judges on the questions submitted to them by the Governor, who was well aware that, had there been any occasion for considering it, we should have asked to have been heard on it. As it is, so lar as the "opinion" touches on the right of the highest minority candidate, it must be regarded in the nature of an abiter dictum, though I am not aware that, were it authority, it would have been uniavorable on Cronia's case. It admits the existence of the English rule, and though I should contend that no notice to the voters was necessary in case the disqualification was from the vory character of the ciffic notorious, the including of the constitutional prohibition to elect there was, in fact, this difference between the Oregon and Rhode Island cases, that while in the former the disqualification was from the very character of the office notorious, the including of a Centennial Commissioner, or the circumstance of Mr. Corlies holding such a place, could nave hardly excited public attention. Whether or not a Centennial Commissioner, or the circumstance of Mr. Corlies holding such a place, could nave hardly excited public attention. Whether or not a Centennial Commissioner, or the circumstance of Mr. Corlies holding such a place, could nave hardly excited public then too of the constitution, say:—"This provision of the constitution, say:—"This provision of the constitution, it is believed, excludes

the second article of the constitution, as as—"time provision of the constitution, it is believed, excludes and disqualifies deputy postmasters from the appointment that the constitution postmaster after his appointment as elector, would not entitle him to vote as elector under the constitution." Nor does the term of office of postmaster expire merely by the profer of a reagmation. It contains responsible "uill the expiration of his commitgeon, or until a successor has been appointed and taken possession." (Revised Statules, section 3,826.)

It might be a material question if the disqualification of Watts, instead of electing Cronin made the place vacant, and if the two other electors were competent to fill an original vacancy, and whether Watts on the 6th of December was so discharged from his connection with the postmasterhip as to be eligible. A similar inquiry might be made win respect to the Vermont postmaster, who, after a sham resignation, was appointed by his colleagues when the Electoral College convened. In the view which I take of a positive constitutional enactment prohibiting, in express terms, the appointment or electipo of a class of persons having no relation to their miritidial merits or demerits, and white the lact existing cannot be affected by the decision of any tribunal, it is immaterial whisther or not the disqualifications are known to the electors. It is sufficient that is because of the provision in the United States constitution that he septonitmen or election is against public policy. The provision in the United States constitution that he spinointment or election is against public policy. The provision in the throught home to the voters. Whether an election of electors by the people littlist the provisions of the iransers of the individual, as where etiter accepting or giving a bribe is a disqualification by constitution in provision all manking may be observed and such assets of convention may be required to be brought home to the voters. Whether an election of electors by the peop

In Indiana it has been held that the votes cast for a candidate in fact disqualified mest be thrown out, whether or not the voters had knowledge of the disqualification. On this occasion it was said by the Judge, what is very pertinont to the present case, that where the incligibility of a candidate arises from his

holding or having held a public office the people within the jurisdiction of such office are held in law to know, are chargeable with notice of such ineligibility. The votes given for such a candidate are of no effect and his highest eligible competitor is elected.

The parliamentary cases are more apposite to the election under review than those which depend on judicial decisions. The views of Judge Cushing, the recognized American authority on the law of legislative assemblies, are referred to and adopted in the Indiana case already cited. In the debates in Congress os to the effect of the election of a disqualified candidate on a minority competition, the cases of Mr. Gallatin and Mr. Bailey are irequestly cited. The one occurred in the Senate, the other in the House. Though in neither of them was any such claim inside to the seat by smother person protending to be elected. Mr. Gallatin's case dates back as far as 1793. Owing to the position I occupied toward him many years afterward in the diplomatic service I became entirely familiar with it. Arriving in this country fourteen years previously to his election and consequently during the Revolution, and many years before the adoption of the present constitution, Mr. Gallatin had become identified with our country in every way known to the laws of that day. He had as early as 1780 acquired a legal domicile in the State of Massachusetts, the only way in which asturalization could then be offected there. The articles of the confederation, which were the existing constitution provided that "the free inhabitants of the different States of the Union shall be entitled to all privileges and immunities of free citizens in the several States," thus making the terms "winabitiants," and "citizens" synonymous Mr. Gallatin, having invested his patrimony in lands which were then supposed to be in Virginia, and nuty years had not elapsed from the date of that naturalization he had been a citizen some five years before the adoption of the constitution. Even these lands, he w

The case in the American Congress in 1872 of Mr. Abbott, who claimed a seat in the Senate, can be offered in layor of the validity of Cronin's election. Mr. Abbott, who had a minority vote in both houses of the Legislature of North Carolina, claimed the seat in consequence of Mr. Vance, his successful opponent, being an unpardoned robel. I have already altitude to the fact that the disability in the case of an elector applied to the time that the appointment was made, and, if then void, it could never be rendered valid, but the provision of the filteenth amendment was only directed against the holding of an ellice, and admitted of the disability being removed before the time of cutering on its functions had arrived. Again, there was a distinction between an individual throwing away that of his constituents. Moreover, there was a provision in reference to the two houses of the Legislature requiring for an election an allimative vote of a majority of a quorum of each, and it was the usage of the Legislature of that State always to count blanks. The election of Mr. Abbott was also opposed to the principle of the act of Congress regulating the election of Sonators. It is only necessary for me to call attention to the inferences to be deduced from Mr. Thurman's argument, as he himself has explained them in his speeches during the present session in a much clearer way than I am capable of presenting them.

tion. The eighth demands the reduction of the army. Next follow several resolutions discussing exhaustively the subjects of the appointment of electors, the functions of returning boards and the duty of Congress touching the count of the electoral vote, and concluding—"Belleving that Mr. Tilden received a majority of the whole number of electoral votes, we pledge him our hearty and unqualified support in the full exercise of his authority in conformity with the constitution and laws of the land."

PENNSYLVANIA REPUBLICANS.

DEBATE IN A CAUCUS OF THE LEGISLATURE ON PUTTING THE MILITIA ON A WAR FOOTING -DECIDED TO AWAIT THE MARCH OF TVENTS.

HARRISBURG, Jan. 17, 1876.
A caucus of the republican members of the Legisle ture was held here this evening. The committee of three Senators and four Representatives, including the Speakers of the two houses, who were appointed last week to consider the propriety of introducing a bill into the Legislature to place the militia of the State upon a war footing, it was expected would make its report tonight. This committee, since its appointment, held conferences with Governor Hartrantt and finally de

conforences with Governor Hartranit and maily decided that it was not expedient to offer any such till to the Legislature at present, nor to make any specific appropriations for the purpose at this time, but simply to await the course of events and let the matter rest until the Governor in his judgment should think it necessary to call on the Legislature by proclamation or otherwise. In arriving at this conclusion the committee claimed to have been acting in a wise and temperate spirit.

This was substantially the report made by the committee to the caucus. That body, which mat at halfpast seven P. M., appeared to consist of two elements—one urging the necessity of an appropriation to place the mutta on a war hooting as a matter of precastion, and the other advising a temporating policy as best calculated just now to quiet the people, and obtain, if possible, a peaceful and legal-olution of the difficulty. Finally, after a debate which lasted for about two hours, the report of the committee was adopted; but it was additionally agreed that a committee, consisting of our members of the House and two members of the Senate, should be appointed, to whom the bill making the appropriation for the reorganization of the militia should be referred, and who should hold it subject to the course of events, taking no action thereon unless necessary.

CONGRESSIONAL NOMINATIONS.

DOVER, N. H., Jan. 17, 1877.
The republicans of the First Congressional district day nominated Gliman Marston for Congress on the

Concord, N. H., Jan. 17, 1877.

The Second Congressional District Republican Convention has nominated James F. Briggs, of Manches ter, for Congress.

UNITED STATES SENATORSHIPS.

MASSACHUSETTS.

TWO BALLOTS TAKEN BUT NO CHOICE-HOAR AHEAD.

Возтох, Јар. 17, 1877. The following is the first ballot for United States Senator in the joint convention of the Legislature to-day:—Boutwell, 26; Hoar, 93; Abbott, 60; Rice, 17;

Bullock, 4; Seciye, 4; Sanford, L.

The second ballot resulted as follows:—Hoar, 95;
Boutwell, 93; Abbott, 62; Ricc, 17; Bullock, 4; Seciye, 4, and Sanford, 1. Whoie number of votes, 276; neces sary for a choice, 139.
After the second ballot the joint s ssion of the Legis-

lature adjourned tell noon to-morrow.

ILLINOIS.

SEVEN DALLOTS AND NO CHOICE-LOGAN GAIN-ING STRENGTH.

SPRINGFIELD, Jan. 17, 1877. The second ballot, in joint convention, for United States Separor to-day resulted as follows:-Logan, 98:

Palmer, 88; Anderson, 7; Davis, 8; Lathrop, Parish

more.
Fourth Hallot—Logan, 98; Palmer, 89; Anderson, 7;
Davis, 7; Washburn, 1; Parrish, 1.

Fifth Hallot—Logan, 100; Palmer, 88; Anderson, 7;
Davis, 7; Parrish, 1; Haines, 1.

The seventh ballot for United States Senator was taken to-day and resulted as follows:—Logan, 100;
Palmer, 59; Anderson, 7; Davis, 6; Haines, 1; Parrish, 1.

NO CHOICE ON THE SECOND BALLOT. ONAHA, Jan. 17, 1876. A second ballot was taken for United States Senato to-day, and resulted as follows:—Httchcock, 27; Savage, 25; Saunders, 15; Briggs, 12; Grouse, 12; Manderson, 4, and the rest scattering. Adjourned.

THE LEGISLATURE DEMORALIZED-ON THE SIXTY-SIXTH BALLOT NO CHOICE-THE DEMO-CRATS UNABLE TO AGREE AT A CAUCUS LAST

[BY TELEGRAPH TO THE HERALD.]

The Legislature exhibited a great deal of demoralization toward the close of the session to-day, scattering votes promiscuously toward the close of the Senatoria session. The sixty-sixth ballot was reached without session. The sixty-sixth ballot was reached without any choice—Baitey, 44; Bate, 34, Whitthorne's name not being introduced. His friends state that he will be nom nated to morrow. At the democratic caucus to-night speeches were made on all sides. The Bate men were rather badly backed. A resolution was adopted that the roll be called, and if lifty-five democratic members of the Legislature answer the caucus will at once proceed to nominate a Senator, that being two-thirds of the nomination, and shall consider ourselves pledged to support the nomines of the caucus. Only forty-eight voted. The caucus meeting troke up amid great confusion, members leaving before the adjournment, the contest begetting an intense feeling, and a spirit of exasperation is generally manifested.

THE DYING "HEAD CENTRE."

ONCE FAMOUS FIGURE-COLONEL JOHN O'MAHONY'S REVOLUTIONARY RECORD.

It was aunounced in yesterday's Herald that Colonel John O'Mahony, one of the most prominent Irish revolutionary leaders of the day, was lying at the point of death at his rossilence, on Sixth avenue. He is still alive, but in so critical a condition that his medical adviser gives but little hope for his life.

Although for the last few years Colonel O'Ma hony degree ceased to occupy the public attention, still the great prominence to which that organization once at ained must be fresh in the memory of most people, and cannot fail to create some interest in the fate of the remarkable man who ruled it during its period of prosperty. When James Stephens founded the secret Fenian or Phoenix movement, as it was then called in treland, a similar movement was created in America for the purpose of sending assistance to the revolutionists in Ireland. death, and magnificent obseques of J. B. McManus, one of the leaders of the revolutionary attempt which plained them in his speeches during the present session in a much clearer way than I am capable of Presenting them.

NEW HAMPSHIRE DEMOCRATS.
THE STATE CONVENTION YESTERDAY—DANIEL MARCY NOMINATED FOR GOVERNOR—RESOLUTIONS AS TO THE FLECTGIAL YOTE.

CONCORD, Jan. 17, 1877.
The Democratic State Convention met to-day and elected J. S. H. Frink president and the usual vice presidents and sceretaries, and appointed committees. An effort was made by the friends of Daniel Marcy to have him renominated for Governor by accimantion, but a bailot was lasisted on and preceded with. Daniel Marcy received 385 out of 524 votes, and his nomination was made unanimous. The free residention and the equality of the States.

The resolutions of the Convention are substantially as follows:—

The first reallims their devotion to the cardinal ideas of the perpetuity of the Cuion, the supremacy of the constitution and the equality of the States.

The second declares a firm adherence to the doctrines contained in the National Democratic planture, especially the emand for reform, microred at the amount of the Protect of the Protection of the Protection of the Protection, in Management, which is the basis and vital principle of the covernment.

The first reallims the feel, inasment as it reasonable in purpose and effect, inasment as it reasonable in purpose and effect, inasment as it reasonable in purpose and effect, inasment as it has the basis and vital principle of the covernment.

The fourth denounces the conspiracy organized at Washington by designate and unserruptions men mong the leaders of the republican party to the action of illegally constituted and corruptly controlled received the propelled with the Canadian rad. All was arrice at the very life of the elective franches, which is the basis and vital principle of the covernment.

The fourth denounces the conspiracy organized at washington by designated with the Constitution of the covernment.

The fourth denounces the constitution, even to the instruction of the definity in which patriotic ardor among the Irish not only at home, but also in this country. O'Mahony and others seized the

tion rests on his contributions to the Phaenix, the Irish People and the Irish Citizen—Irish national journals published in this city at different times—and on his translation of Keating's "History of Ireland," which proves him to be a most accomplished Cellie scholar.

OVING IN POVERTY.

When it was discovered that the lunds of the association had melted away any amount of aguse was heaped on O'Mahony. He was by many charged with direct misappropriation of the money; but he has lived to disprove the truth of this, for since his resignation, in 1858, he has been in very straitened circumstances, and the surroundings of his dying bed cannot fail to clear the memory of this remarkable man, who, whatever his faults, certainly sacrificed his while life and prospects to the service of his country.

LITERARY CHAT.

It appears that Martin Farquanar Tupper, like a good father, instead of keeping all his literary gi ts to him-self, has given them freely to his daughters. One of them, now in England, is a graceful writer of young lolks' stories and an industrious translator from the Swedish. The other daughter has the gift of verse, A larry story from the pen of one of these young ladies is soon to appear in St. Nicholas.

A new serial by the profile Justin McCarthy is commenced in the February Ga axy. It is called "Miss Misanthrope," Rather a tongue-twister that.

Mr. Habberton is at it again, and G. P. Putnam's Sons now have in press a new book from his pen, called "The Scripture Club of Valley Rest." It is catirely different from either "Helen's Bables" or the "Barton Experiment."

J. B. Lappincott have in press a volume called Worthy Wom n of Our First Century," by Mrs. Owen J. Wister and Miss Agnes Irwin. The list will not be complete without the names of the authors of the book The author of "Coming Thro' the Rye" begins a

new serial in Appleton's Journal for February cailed "Cherry Ripe." This author seems to select the titles of her books for their striking qualities rather than for their sense. Her worst title is, "As He Comes Up Miss Emma Lazarus, of this city, has a poem called

'The Christmas Tree' in the February Lippincoll. Fanny Hodgson Burnett contributes one of her streng stories to the February Harver.

The sale of the library collected by the late Carlton Gates was commenced at the Messrs. Leavit's sales-rooms last evening. The attendance was large and the bidding very good. There were no extravagant prices paid, but the books fetched all they were worth. prices paid, but the books fetched all they were worth. There were some 300 lots disposed of, which continued the sale until late in the evening. A rather unfortunate circumstance was the dearth of catalogues; there were not enough to go around and many purchasers were thereby disappointed. A Thomas a Kempis sold for \$60, two votumes, and a ten votame edition of Amicrson sold for \$240. The sale will be continued this evening.

CANADIAN COMMERCIAL FAILURE. Dun, Barlow & Co.'s Mercantile Agency has issued

an interesting report showing that the total of com-mercial faffures in Canada during 1876 was 1,728, being 240 less than in the preceding year, with total liabili ties for 1876 amounting to \$25,517,901, as against \$28,843,967 in the preceding year. These faltures are \$23,843,967 in the preceding year. These failures are still exceptionally large, both in number and amount, being in 1876 one failure to every thirty-two mercantale firms, as against one in every sixty-nine in the United States during the same period. The report attributes the depressed condition in Canada chiefly to overtrading, and shows that, after three years of depression, there is a greater number of persons in business there, in proportion to the trade to be done, than in any other country whose statistics are available. The remedy suggested is a lessened number of traders and higher standard of credit.

SHALL FERRY COUNT

A Mass Meeting Protest from New York City.

THE BELIEF IN TILDEN'S ELECTION.

What Prominent Democrats Say About the Matter.

During the past four or five days a committee of gentlemen, well known in political circles, have been making preparations for a mass meeting to be held for the purpose of protesting against the opening and counting of the electoral votes by the President of the Senate and of allowing those who so desire to give free and open expression in public to their bolief in the election of Mr. Tilden. The gentlemen of the committee kept their movements secret up to yester-day for reasons of their own. To ascertain the feeling of democrats concerning the demonstration a Herald reporter called yesterday upon several representative men of the party in this city. As will be seen from the interviews published below, it is the intention of mocrats to the call which it is proposed to issue, thereby making the meeting non-partisan in its char-

MAYOR ELY DEPRECATES THE MOVEMENT. Mayor Ely, when questioned on the subject, said he and heard of the contemplated movement, in fact, had recently been urged to assist in the getting up of such a meeting. He had declined to comply with the re-

REPORTER-On what grounds did you refuse to pa ticipate?

Mayor Eny-Such an action would be the same asserting that the action of Congress is illegal and unjust, and that I am not prepared to do. I do not see as yet that the action of Congress in the matter can be condemued. On the contrary, the recent actions of the Senate seem to me to be conciliatory and fair, and have the appearance of a desire to allow the existing issues to be determined by law.

REPORTER-Would you take part in such a meeting if it were arranged?

argument on the subject. I do not think that anybody has the right to prejudge the actions of Congress. I have no doubt that a meeting of the kind would tend to exasperate and inflame the minds of the people, and that is a result which should be avoided in times of uncertainty. It is my opinion that if such a meeting were held it would be a very large and demonstrative

JOHN KELLY SUPPORTS THE IDEA. Comptroller John Kelly was found at his office in the Court House. When the mass meeting question was

Court House. When the mass meeting question was broached he said he was a strong advocate of the idea. He thought not only that such a meeting should be held, but that it should have been held some time ago. "Do you think, Mr. Kelly, that such a demonstration would have any effect on the action of Congress?"

"I certainly do. The invitation will be extended, at I understand it, to citizens irrespective of party. I think all similar assemblies, when they discuss the questions before them considerately and sensibly and arrive at some definite conclusion, have a powerful effect. You will see one of the most erormous meetings ever held in the city when the sone takes place, and if I can judge from the sentiments I have heard expressed, the enthusiasm will be very great."

"Have you read the remarks of Senators Bayard and Kernan on the mass meetings which have been held in some of the Westers States?"

"I have not; but, it is exprecate the movement, I think they are wrange thous more decided action should be taken in the premises. It will not do, in this world, to be down, and let people walk over you. You must be up and doing, and, if your cause is a just one, you should wan. A just cause is frequently lost through maction."

When asked if he knew anything cescerning the concentration of democratic soldiers on the 5th of March to force Mr. Tilden's manguration if necessary, Mr. Kelly said that he believed all such runors to be richenlous; that there were no lears whatever of a riot on the occasion in question. The Comptruiter said he knew of many republicans who would assist at the demonstration.

What confonation coursel Whitney said that he hence the fears whatever of a riot on the occasion in question. The Comptruiter said he knew of many republicans who would assist at the demonstration.

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the meeting. It may be taken the control of the control of the very susceptible to misconstruction. Mr. Sullyan did not believe there would be any democrats except arms in Washington on the 5th of March. He considered the present position of affairs to be a great official or may be succeeded the present position of affairs to be a great official or movering the most serious question of right, and that it was worthy of important action, but he believed also that it was so momentous as to be worth keeping the peace. He would corrected any such movement, and believed it would not take place.

ENCLE PIECE REMARKS.

Mr. Richard Scheil had been informed of the contemplated action, but would assist in no such meeting, because he thought that the people wanted peace and quiet, and it would be better to allow them to enjoy it. He said he had not interested himself in politics since the election.

templated action, but would assist in no such meeting, because he thought that the people wanted peace and quict, and it would be better to allow them to enjoy it. He said he had not interested himself in politics since the election.

Mr. Thomas Cooper Campbell had been communicated, with on the subject, but had recently been too busy to give any attention to it. He thought such a meeting would have been advisable two months ago, and suggested it. He could not say that he now had any opinion that such a meeting would be advisable, though it would be very large and demonstrative he had no doubt it it took place at all. It would probably not be called by democrate, but by independent citizens. He had heard of several prominest republicans who would participate in such an afair if it took place. If the meeting were held under such auspeces Mr. Campbell thought it would probably have a great effect on Congress. He would be very glad to have such a movement or almost any other that would help to imagurate Mr. Tilden, as he believed the democratic candidate to have been fairly elected. Mr. Campbell believed that Tilden would be poacefully inaugurated.

Mr. Oswald Ottendorfer stated that he would take part in the meeting provided its arrangements suited his ideas. As he understood it the purpose of the gainering would be to protest against permitting the President of the Schale to Open and count the votes at the lace of a protest from either house or any member of either nouse. If the joint committees of Congress appointed to examine into the matter of the votes should come to any agreement before the time selected for the meeting, the democratic of the votes should come to any agreement before the time selected in the meeting the democratic party, were early on hand and took part in the quilberation, have a livorable effect.

The committee and several leading members of the National Democrate Committee met at the Everett House last evening. They came together to receive the report of the committee that the propose of

THE CHARTER COMMISSION.

The commission appointed to devise legislation for the better government of all cities throughout this State and which has been holding meetings at inter-vals for several mouths past in the rooms of the Line vais for several mouths past in the rooms of the EuAssociation, held another session yesterday. Mr. William M. Evarts, Chairman of the Commission, was present, and when the meeting was opened the doors were,
as on all the previous occasions, carefully closed
against intruders. It was given out by some othis members after adjournment that considerable progress was made with the proposed new
charter and that another meeting will be held next
week at which the finished draft of the bill will be
read for general approvat. All the members of the
commission firmly refuse to make any statement as to
what changes their report will recommend, claiming
that it would be improper to give their suggestions to
the public until they shall have been presented to the
Legiciature.